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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) P-2192D2									
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on <u>December 28, 2005</u></p> <p>Signature <u>[Signature]</u></p> <p>Typed or printed name <u>James D. Ivey</u></p>		Application Number 10/037,489	Filed October 22, 2001								
		First Named Inventor John McNulty									
		Art Unit 2155	Examiner Faruk Hamza								
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table border="0"><tr><td><input type="checkbox"/> applicant/inventor.</td><td>_____ Signature James D. Ivey _____ Typed or printed name</td></tr><tr><td><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td><td>_____ Telephone number</td></tr><tr><td><input checked="" type="checkbox"/> attorney or agent of record. 37,016 Registration number _____</td><td>510-336-1100 _____ Date December 28, 2005</td></tr><tr><td><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</td><td></td></tr></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of _____ forms are submitted.</p>				<input type="checkbox"/> applicant/inventor.	_____ Signature James D. Ivey _____ Typed or printed name	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	_____ Telephone number	<input checked="" type="checkbox"/> attorney or agent of record. 37,016 Registration number _____	510-336-1100 _____ Date December 28, 2005	<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____	
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This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent Application S/N 10/037,489

Attorney Docket P-2192D2

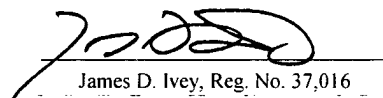
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of:		John Edward McNulty	
Serial No.	10/037,489	Art Unit:	2155
Filed:	October 22, 2001	Examiner:	Faruk Hamza
For:		DATA SYNCHRONIZATION MECHANISM FOR INFORMATION BROWSING SYSTEMS	

Mail Stop AF
Hon. Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

December 28, 2005

I, JAMES D. IVEY, certify that this Paper and the enclosed Transmittal Letter (PTO/SB/21), Notice of Appeal, Pre-Appeal Brief Request for Review (PTO/SB/33), Petition for the Extension of Time (PTO/SB/22), Fee Transmittal (PTO/SB/17), credit card payment form, and return postcard, are being deposited with the U.S. Postal Service with sufficient postage as first class mail addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 28, 2005.


James D. Ivey, Reg. No. 37,016

Dear Sirs:

REASONS IN SUPPORT OF REQUEST FOR PRE-APPEAL CONFERENCE

The Examiner rejected Claims 1-11 under Section 102(e) "as being anticipated by Multer et al. (U.S. Patent 6,671,757)." Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of this rejection.

Claim 1 recites "associating the data object with a selected one of two or more data object types" and "sending the data to the user through the mobile system interface *in accordance with one or more data attributes defined for the selected data object type*." Thus, as recited by Claim 1, the particular type of data object, where the type is selected from at least two data types, influences the manner in which the data is sent to the user through the mobile system interface.

Multer et al. specifically teach away from type-specific attributes for data in transit. In particular, Multer et al. teach at column 28, lines 20-25, that "the server application *must* then convert the information into the universal record format which can be utilized by other server device engines to take content information into their own particular application" (emphasis supplied). Multer et al. further teach away from type-specific delivery of data:

The universal record format allows the application objects to support a wide range of extensible application item types such as contacts, calendar, mail, bookmarks, and

the like. Flexible type name and value associations permit synchronization without regard to individual vendor application information formats. Each application object encapsulates mapped knowledge from the vendor unique format to the universal format of the present invention. As such, an application object can be designed to support any combination of application and binary information types. In essence, application objects can be designed to support a vendor application using only binary file synchronization if the internal format of the application is not known. (Multer et al. at column 28, lines 31-45).

Thus, Multer et al. specifically teach converting type-specific data into a “universal record format” such that any application can process the data. Whatever type the data may be before or after transport, the data can be only one type – the universal record format – during transit according to Multer et al. In the universal record format, the data cannot be sent “in accordance with one or more data attributes defined for the selected data object type” as recited by Applicant's Claim 1.

Applicant's Claim 1 is therefore allowable over Multer et al. Claims 2-11 depend from Claim 1 and are therefore similarly allowable.

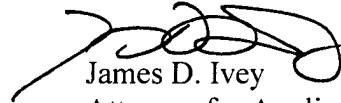
Claim 5 is allowable over Multer et al. for reasons independent of those discussed above with respect to Claim 1. Claim 5 recites “sending the data along with one or more user interface triggers by which the user can invoke one or more respectively associated actions to be taken with respect to the data.” Thus, according to Claim 5, the user interface triggers for associated actions are sent “along with” the data itself. The Examiner has cited no teaching or suggestion of Multer et al. that such user interface triggers accompany type-specific data through a mobile system interface. Accordingly, Claim 5 and Claims 6-11 that depend therefrom are allowable over Multer et al. for reasons independent of those given above with respect to Claim 1.

Claim 7 recites that “sending the data to the user includes sending the instructions [which define a behavior of the selected action] with the data.” The Examiner has only cited teaching of Multer et al. regarding what a receiving application might do with the universal record format data once it's received but cited no teaching or suggestion that the data that is actually sent includes any computer instructions, let alone instructions which define a behavior of an action that can be invoked by a user for performance on the sent data. Claim 7 is therefore allowable

over Multer et al. for reasons independent of those given above with respect to Claims 1 and 5.

For these reasons, pending Claims 1-11 are allowable over the cited art and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James D. Ivey', is written over the typed name.

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Reg. No. 37,016

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